

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

480A0571

SENATE BILL NO. 149

Introduced by: Senator Staggers and Representative Hagg

1 FOR AN ACT ENTITLED, An Act to resolve certain conflicting provisions regarding workers'
2 compensation and health insurance coverage.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 62-1-1.3 be amended to read as follows:

5 62-1-1.3. If an ~~injury is determined not to be~~ employer denies coverage of a claim on the
6 ground that the injury is not compensable under this title due to the provisions of subsections
7 62-1-1(7)(a), (b), or (c), such injury is presumed to be nonwork related for other insurance
8 purposes until the employer either accepts the claim or the injury is administratively or judicially
9 determined to be compensable and the determination becomes a final legal determination.
10 Nothing in this section impairs the subrogation rights of any insurance provider existing under
11 applicable law.